



## **TRACK AND FIELD / ROAD RUNNING / CROSS COUNTRY**

145 Pacific Ave. Winnipeg, MB. R3B 2Z6 • Tel: 204-925-5745 • Fax: 204-925-5792  
programs@athleticsmanitoba.com • execdirector@athleticsmanitoba.com

### **Conflict of Interest Policy**

#### **Manitoba Track and Field Association Inc. (Athletics Manitoba)**

##### **Purpose**

1. The purpose of this policy is to describe how members of Athletics Manitoba will conduct themselves in matters relating to conflicts of interest, and to clarify how Athletics Manitoba will make decisions in situations where conflicts of interests may exist.

##### **Definition of Conflict of Interest**

2. Conflicts of interest include both pecuniary and non-pecuniary interests. A pecuniary interest is an interest that an individual may have in a matter because of the reasonable likelihood or expectation of financial gain or loss for that individual, or another person with whom that individual is associated. A non-pecuniary interest may include family relationships, friendships, volunteer positions in associations or other interests that do not involve the potential for financial gain or loss.

##### **Application**

3. This policy applies to directors, officers, employees, contractors, committee members, volunteers and other decision-makers within Athletics Manitoba (collectively referred to as the “Representative”).

##### **Statutory Obligations**

4. Athletics Manitoba is incorporated under The Corporations Act and is governed by the Act in matters involving a real or perceived conflict of interest between the personal interests of the Representative and the broader interests of Athletics Manitoba.
5. Under the Act, any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between the Representative’s interest and the interests of Athletics Manitoba must at all times be resolved in favour of Athletics Manitoba.

##### **Additional Obligations**

6. In addition to fulfilling all the requirements of The Act, Athletics Manitoba and the Representative will also fulfill the additional requirements of this policy. The Representative will not:
  - a) Engage in any business or transaction, or have a financial or other personal interest that is incompatible with his or her official duties with Athletics Manitoba, unless such business, transaction or other interest is properly disclosed in accordance with this policy;
  - b) Knowingly place himself or herself in a position where he or she is under obligation to any person who might benefit from special consideration, or who might seek, in any way, preferential treatment;



## **TRACK AND FIELD / ROAD RUNNING / CROSS COUNTRY**

145 Pacific Ave. Winnipeg, MB. R3B 2Z6 • Tel: 204-925-5745 • Fax: 204-925-5792  
programs@athleticsmanitoba.com • execdirector@athleticsmanitoba.com

- c) In the performance of his or her official duties, accord preferential treatment to family members, friends or colleagues, or to organizations in which his or her family members, friends or colleagues have an interest, financial or otherwise;
- d) Derive personal benefit from information that he or she has acquired during the course of fulfilling his or her official duties with Athletics Manitoba, where such information is confidential or is not generally available to the public.
- e) Engage in any outside work, activity or business or professional undertaking that conflicts or appears to conflict with his or her official duties as the Representative, or in which he or she has an advantage or appear to have an advantage on the basis of his or her association with Athletics Manitoba.
- f) Use Athletics Manitoba property, equipment, supplies or services for activities not associated with the performance of official duties with Athletics Manitoba
- g) Place himself or herself in a position where he or she could, by virtue of being the Representative, influence decisions or contracts from which he or she could derive any direct or indirect benefit or interest.
- h) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of being the Representative.

### Disclosure of Conflict of Interest

- 7. On an annual basis, the Representative will complete a written statement disclosing any real or perceived conflict of interest that he or she might have.
- 8. At any time that the Representative becomes aware that there may exist a real or perceived conflict of interest, he or she shall disclose this conflict to the Board of Directors immediately.
- 9. Any person who is of the view that the Representative may be in a conflict of interest with Athletics Manitoba my report this matter to the board.

### Resolving Conflicts in Decision-Making

- 10. Decisions or transactions that involve a real or perceived conflict of interest that has been disclosed by the Representative may be considered and decided upon by Athletics Manitoba provided that:
  - a) The nature and extent of the Representative's interest has been fully disclosed to the body that is considering or making the decision, and this disclosure is recorded in the minutes;



## **TRACK AND FIELD / ROAD RUNNING / CROSS COUNTRY**

145 Pacific Ave. Winnipeg, MB. R3B 2Z6 • Tel: 204-925-5745 • Fax: 204-925-5792  
programs@athleticsmanitoba.com • execdirector@athleticsmanitoba.com

- b) The Representative does not participate in discussion on the matter giving rise to the conflict of interest, unless the body considering the matter votes to allow such participation;
- c) The Representative abstains from voting on the proposed decision or transaction.
- d) The Representative is not included in the determination of quorum for the proposed decision or transaction; and
- e) The decision or transaction is in the best interests of the corporation.

### Conflicts Involving Employees

- 11. Athletics Manitoba will not restrict employees from accepting other employment contracts or volunteer appointments during the term of their employment with Athletics Manitoba, provided that the employment, contract or volunteer appointment does not diminish the employee's ability to perform the work contemplated in their employment agreement with Athletics Manitoba. Any determination as to whether there is a conflict of interest will rest solely with Athletics Manitoba, and where a conflict of interest is deemed to exist, the employee will resolve the conflict of interest by ceasing the activity giving rise to the conflict of interest.

### Enforcement

- 12. Failure to adhere to this policy may give rise to discipline in accordance with Athletics Manitoba's Code of Conduct and Discipline Policy.

### Review and Approval

- 13. This policy was approved by the Board of Directors on [date]. It will be reviewed, amended or replaced by a resolution of the board.

**Approved November 9, 2015 by the Athletics Manitoba Board of Directors.**